

ELECTRONICALLY FILED

June 15, 2006

STUTMAN, TREISTER & GLATT, P.C.
 FRANK A. MEROLA
 (CA State Bar No. 136934
 EVE H. KARASIK
 (CA State Bar No. 155356)
 CHRISTINE M. PAJAK
 (CA State Bar No. 217173), Members of
 Stutman, Treister & Glatt P.C.
 1901 Avenue of the Stars, 12th Floor
 Los Angeles, California 90067
 Telephone: (310) 228-5600
 Facsimile: (310) 228-5788
 Email: fmerola@stutman.com
ekarasik@stutman.com
cpajak@stutman.com

SHEA & CARLYON, LTD.
 JAMES PATRICK SHEA
 (Nevada State Bar No. 000405)
 CANDACE C. CARLYON
 Nevada State Bar No. 002666)
 SHLOMO S. SHERMAN
 (Nevada State Bar No. 009688
 233 South Fourth Street, Second Floor
 Las Vegas, Nevada 89101
 Telephone: (702) 471-7432
 Facsimile: (702) 471-7435
 Email: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

Counsel for the Official Committee Of
 Equity Security Holders Of USA Capital First Trust
 Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

) BK-S-06-10725-LBR
) Chapter 11
)

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

) BK-S-06-10726-LBR
) Chapter 11
)

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

) BK-S-06-10727-LBR
) Chapter 11
)

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

) BK-S-06-10728-LBR
) Chapter 11
)

In re:
 USA SECURITIES, LLC,
 Debtor.

) BK-S-06-10729-LBR
) Chapter 11
)

Affects

- ☒ All Debtors
☐ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☐ USA First Trust Deed Fund, LLC

**SUPPLEMENTAL CERTIFICATE OF SERVICE RE: JOINT LIMITED OPPOSITION BY THE FUND
 COMMITTEES TO DEBTORS' MOTION FOR ORDER APPROVING CONTINUED USE OF CASH
 THROUGH JULY 29, 2006 PURSUANT TO SECOND REVISED BUDGET (AFFECTS ALL DEBTORS)**

1 I HEREBY CERTIFY that on the 14th day of June, 2006, I served the following
2 document:

3 **JOINT LIMITED OPPOSITION BY THE FUND COMMITTEES TO DEBTORS'**
4 **MOTION FOR ORDER APPROVING CONTINUED USE OF CASH THROUGH JULY**
5 **20, 2006 PURSUANT TO SECOND REVISED BUDGET (AFFECTS ALL DEBTORS)**

6 I served the above named document(s) by the following means to the persons as listed
7 below:

8 ☐ a. ECF System.
9 ☒ b. United States mail, postage full prepaid to the following: See Attached
10 Rider

11 ☐ c. Personal service.

12 I personally delivered the documents to the persons at these addresses:

13 ☐ For a party represented by an attorney, delivery was made by handing the
14 document(s) at the attorney's office with a clerk or other person in charge,
15 or if no one is in charge, by leaving the document(s) in a conspicuous
16 place in the office.

17 ☐ For a party, delivery was made by handing the document(s) to the party or
18 by leaving the document(s) at the person's dwelling house or usual place
19 of abode with someone of suitable age and discretion residing there.

20 ☐ d. By direct email.

21 Based upon the written agreement of the parties to accept service by email or
22 a court order, I caused the document(s) to be sent to the persons at the email
23 addresses listed below. I did not receive, within a reasonable time after the
24 transmission, any electronic message or other indication that the transmission
25 was unsuccessful.
26
27
28

☐ e. **By fax transmission.**

Based upon the written agreement of the parties to accept serve by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger.**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 15th day of June, 2006.



Lisa Masse, an employee
of STUTMAN, TREISTER & GLATT
PROFESSIONAL CORPORATION.

Debtors
USA Commercial Mortgage Co., et al.
Attn: Thomas J. Allison
4484 South Pecos Road
Las Vegas, NV 89121

Office of the U.S. Trustee
300 Las Vegas Blvd. South
Suite 4300
Las Vegas, NV 89101

USA CAPITAL REALTY ADVISORS,
LLC
UNSECURED CREDITORS

USA SECURITIES, LLC
UNSECURED CREDITORS

R. Hagmaier
c/o Financial West Group
4510 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362

Rob Charles, Susan M. Freeman
Lewis and Roca, LLP
3993 Howard Hughes Parkway, 6th Floor
Las Vegas, NV 89109

Dell Bunch dba Loan Partners Capital
Attn: Donald R. Walker
9209 Eagle Hills Drive
Las Vegas, NV 89134-6109

Russell/AD Development Group, LLC
Attn: Robert A. Russell
8585 E. Hartford Dr., Ste. 500
Scottsdale, AZ 85255

COMMITTEE OF EQUITY SECURITY
HOLDERS OF USA CAPITAL FIRST
TRUST DEED FUND, LLC

Attys for Debtors
Annette W. Jarvis
Ray Quinney & Nebeker P.C.
36 So. State Street, Suite 1400
P.O. Box 45385
Salt Lake City, UT 84145-0385

CO-COUNSEL FOR EQUITY
SECURITY HOLDERS OF USA
CAPITAL FIRST TRUST DEED FUND,
LLC

Kummer, Kaempfer, Bonner & Renshaw
3800 Howard Hughes Pkwy.
7th Floor
Las Vegas, NV 89109

James Hull
c/o Signature Financial
2601 Airport Drive
Torrance, CA 90505

Tim Rich
c/o Financial West Group
4510 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362

UNSECURED CREDITORS'
COMMITTEE FOR USA COMMERCIAL
MORTGAGE COMPANY

Advanced Information System
Attn: Michael T. Yoder
4270 Cameron St., Suite 1
Las Vegas, NV 89103

Annee Nounna
8057 Lands End Court
Las Vegas, NV 89117-7635

Robert E. Taylor
1535 Flynn Road
Camarillo, CA 93012

Attys for Debtors
Lenard E. Schwartz
Jeanette E. McPherson
Schwartz & McPherson Law Firm
2850 So. Jones Blvd., Suite 1
Las Vegas, NV 89146-5308

James Patrick Shea, Candace Carlyon,
Shawn W. Miller & Shlomo S. Sherman
Shea & Carlyon, Ltd
233 S. Fourth St., 2nd Floor
Las Vegas, NV 89101

Intershow
The Githler Center
1258 North Palm Ave.
Sarasota, FL 34236

George Gorman
c/o Financial West Group
4510 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362

COUNSEL FOR OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS OF USA COMMERCIAL
MORTGAGE COMPANY

Bunch, Dell
1909 Red Robin Court
Las Vegas, NV 89134

Russell Ad Development Group, LLC
P.O. BOX 28216
Scottsdale, AZ 85255

Robert L. Hagmaier
15254 Candlewood Court
Lake Oswego, OR 97035

Robert E. Taylor
c/o Chuck Heinrichs
198 El Pajaro
Newbury Park, CA 91320

John Warner Jr., IRA
C/O First Savings Bank
2605 East Flamingo Rd
Las Vegas, NV 89121

John H. Warner, Jr.
2048 North Chettro Trail
St. George, UT 84770-5345

Mary E. & Matthew Moro
1009 -- 8th Street
Manhattan Beach, CA 90266

Richard G. Woudstra Revoc. Trust
Richard G. Woudstra Trustee
P.O. Box 530025
Henderson, NV 89053

Wen Baldwin Separate
Property Trust u/a/d 9/2/97
Wen Baldwin, Trustee
365 Dooley Drive
Henderson, NV 89015

John Goings
P.O. Box 174
Masonville, CO 80541

Joseph S. Congress
9900 Wilbur May Parkway, #802
Reno, NV 89521-4008

COUNSEL FOR OFFICIAL
COMMITTEE OF EQUITY SECURITY
HOLDERS OF USA CAPITAL
DIVERSIFIED TRUST DEED FUND,
LLC

Marc A. Levinson
Lynn Trinka Ernce
Orrick, Herrington & Sutcliff, LLP
400 Capital Mall, Suite 3000
Sacramento, CA 95814

COMMITTEE OF EQUITY SECURITY
HOLDERS OF USA CAPITAL
DIVERSIFIED TRUST DEED FUND,
LLC

Robert Worthen
1112 Worthen Circle
Las Vegas, NV 89145

Katz 2000 Separate Property Trust
Sara M. Katz,
Managing Trustee
4250 Executive Square, #670
San Diego, CA 92037

Thomas C. Lawyer Family Trust
Atn: Thomas C. Lawyer
45 Ventana Canyon Dr.
Las Vegas, NV 89113

Jerry T. McGimsey
3115 S. El Camino Road
Las Vegas, NV 89146-6621

Charles O. Nichols and Flora A. Nichols
2561 Seascape Drive
Las Vegas, NV 89128

Robert Hardy
6510 Ansonia Court
Las Vegas, NV 89118-1874

Frank Weinman
2947 Pinehurst Drive
Las Vegas, NV 89109

COUNSEL FOR THE OFFICIAL
COMMITTEE OF HOLDERS OF
EXECUTORY CONTRACT RIGHTS OF
USA COMMERCIAL MORTGAGE
COMPANY

Gordon & Silver, LTD.
Attn: Gerald M. Gordon, Gregory E.
Garman, Talitha B. Gray & Matthew C.
Zirzow, Esq.
3960 Howard Hughes Pkwy, 9th Fl.
Las Vegas, NV 89109

USA COMMERCIAL MORTGAGE CO.
EXECUTORY CONTRACTS
DIRECT LENDER COMMITTEE

Fertitta Enterprises, Inc.
2960 W. Sahara Ave., Suite 200
Las Vegas, NV 89102

William J. Bullard
Fertitta Enterprises, Inc.
P.O. Box 27555
Las Vegas, NV 89126-1555

Helms Homes, LLC
Atn: Terry Helms
809 Upland Blvd.
Las Vegas, NV 89107

Terry R. Helms Living Trust 11/94
Atn: Terry Helms
809 Upland Blvd.
Las Vegas, NV 89107

Dennis Flier, Inc. Defined
Benefit Trust Dated 6/29/87
20155 Porto Vita Way, #1803
Aventura, FL 33180

Arthur Polacheck
2056 Woodlake Circle
Deerfield Beach, FL 33442

James W. McCollum & Pamela P.
McCollum
1011 F Avenue
Coronado, CA 92118

Edward M. Homfeld
Homfeld II, LLC
777 S. Federal Highway
Suite N-409
Pompano Beach, FL 33062

Homfeld II, LLC
Atn: Edward W. Homfeld
858 Bishop Road
Grosse Pointe Park, MI 48230

GOVERNMENTAL AND
REGULATORY ENTITIES:

Nevada Mortgage Lending Div.
Attn: Susan Eckhardt
3075 E. Flamingo #100
Las Vegas, NV 89121

U.S. Securities & Exchange Comm.
Attn: Sandra W. Lavigna.
5670 Wilshire Blvd., 11th Floor
Los Angeles, CA 90036-3648

Pension Benefit Guaranty Corp.
Office of the Chief Counsel
1200 K Street N.W.
Washington, D.C. 20005-4026

Dept. of Employment Training
Employ. Sec Div. Contribut. Sec.
500 East Third Street
Carson City, NV 89713-0030

DMV and Public Safety
Records Section
555 Wright Way
Carson City, NV 89711-0250

Employers Ins. Co. of NV
Attn: Bankruptcy Desk
9790 Gateway Drive
Reno, NV 89521-5906

NV Dept. of Taxation
Bankruptcy Division
555 E. Washington #1300
Las Vegas, NV 89101

IRS
Attn: Bankruptcy Dept.
Stop 5028
110 City Parkway
Las Vegas, NV 89106

Secretary of State
State of Nevada
202 N. Carson Street
Carson City, NV 89701

NV Dept. of Taxation
Revenue Division
Capitol Complex
Carson City, NV 89710-0003

Office of Labor Commissioner
555 E. Washington Ave.
Suite 4100
Las Vegas, NV 89101

U.S. Attorney
District of Nevada
323 Las Vegas Blvd. So. #5000
Las Vegas, NV 89101

U.S. Dept. of Justice
Tax Div. - Western Region
P.O. Box 683
Ben Franklin Station
Washington D.C. 20044

U.S. Securities & Exchange Comm.
Attn: Sarah D. Moyed, Esq.
5670 Wilshire Blvd. Ste. 1100
Los Angeles, CA 90036-3648

IRS
Ogden, UT 84201

FHA/HUD
District Office
333 North Rancho Dr., #700
Las Vegas, NV 89106-3797

Dept. of Veterans Affairs
Loan Service and Claims
3225 North Central
Phoenix, AZ 85012

Clark County Treasurer
c/o Bankruptcy Clerk
P.O. Box 551220
Las Vegas, NV 89155-1220

Clark County Assessor
c/o Bankruptcy Clerk
P.O. Box 551401
Las Vegas, NV 89155-1401

NOTICES OF
APPEARANCE/REQUESTS FOR
NOTICE

Don Tomlin
c/o David W. Mounier
15316 Sky High Road
Escondido, CA 92025

Maryetta Bowman
534 Enchanted Lkes Drive
Henderson, NV 89052

Edward W. Homfeld
Homfeld II, LLC
777 South Federal Highway, Suite N-409
Pompano Beach, Florida 33062

Richard McKnight, Esq.
330 South Third St., #900
Las Vegas, NV 89101

RJ Rocco
12617 Cottageville Lane
Keller, TX 76248

Margie Gandolfo
1724 Arrow Wood Drive
Reno, NV 89521

Janny Catharina Brouwer
2533 Kinnard Avenue
Henderson, NV 89074

Robert R. Kinas, Esq.
Jennifer L. McBee
Snell & Wilmer, LLP
3800 Howard Hughes Parkway, #1000
Las Vegas, NV 89109

Michael R. Shuler
c/o Jay R. Eaton
Eaton & O'Leary, PLLC
115 Grove Avenue
Prescott, AZ 86301

Kermit Kruse
2710 Albany Avenue
Davis, CA 95616

Kelly J. Brinkman, Esq.
Goold Patterson, Alex & Day
4496 So. Pecos Road
Las Vegas, NV 89121

Janet L. Chubb, Esq.
Jones Vargas
100 West Liberty St., 12th Floor
P.O. Box 281
Reno, NV 89504-0281

Martin B. Weiss, Esq.
The Garrett Group, LLC
One Betterworld Circle, Suite 300
Temecula, CA 92590

Attila Jefzenszky
1720 Colavita Way
Reno, NV 89521

Vince Danelian
P.O. Box 97782
Las Vegas, NV 89193

William L. McGimsey, Esq.
601 E. Charleston Blvd.
Las Vegas, NV 89104

Paul & Donna Jacques
810 S.E. 7th St., A103
Deerfield Beach, FL 33441

Peter Bolino
17412 Serene Drive
Morgan Hill, CA 95037

STAN WOLKEN
Send notice to:
bayareastan@yahoo.com

Sean Najarian, Esq.
The Najarian Law Firm
283 S. Lake Ave., Suite 205
Pasadena, CA 91101

Bank of America
c/o Scott D. Fleming, Esq.
Hale Lane Peek Dennison Howard
3930 Howard Hughes Pkwy. 4th Fl
Las Vegas, NV 89109

Nile Leatham
James Macrobbie
Kolesar & Leatham, CHTD
3320 W. Sahara Ave., #380
Las Vegas, NV 89102-3202

Laurel L. Davis, Esq.
Lionel Sawyer & Collins
4700 Bank of America Plaza
300 S. Fourth St.
Las Vegas, NV 89101

American Express Bank FSB
c/o Gilbert B. Weisman, Esq.
Becket and Lee LLP
P.O. Box 3001
Malvern, PA 19355-0701

S&J Enterprise Invest.
c/o Caryn S. Tijsseling, Esq.
Beesley, Peck & Matteoni, Ltd.
5011 Meadowood Mall Way, Ste. 300
Reno, NV 89502

Nicholas J. Santoro
400 S. Fourth St., 3rd Floor
Las Vegas, NV 89101

Jed A. Hart
Angelo, Gordon & Co.
245 Park Avenue, 26th Floor
New York, NY 10167

Bradley J. Stevens
3300 N. Central Avenue
Phoenix, AZ 85012

CiCi Cunningham/James Kohl &
Christine Roberts
Rawlings Olson Cannon, et al.
9950 W. Cheyenne Ave.
Las Vegas, NV 89129

Franklin C. Adams, Esq.
Best Best & Krieger, LLP
3750 University Ave. #400
P.O. Box 1028
Riverside, CA 92502-1028

Jeffrey G. Sloane
Regina M. McConnell
Kravitz, Schnitzer, Sloane, Johnson et al.
1389 Galleria Dr., Suite 200
Henderson, NV 89014

Kevin B. Christensen, Xanna
Hardman & Evan James
7440 W. Sahara Ave.
Las Vegas, NV 89117

R. Mason/P. Smoots/M. Schmahl
McGuire Woods LLP
77 W. Wacker Drive, Ste. 4100
Chicago, IL 60601

Donald Polednak
Sylvester & Polednak, Ltd.
7371 Prairie Falcon, Suite 120
Las Vegas, NV 89128

Peter Susi, Esq., Jae Michaelson, Esq.
Michaelson, Susi & Michaelson
Seven W. Figueroa St., 2nd Floor
Santa Barbara, CA 93101

Allison Mackenzie Russell, et al.
Joan C. Wright
402 N. Division St.
P.O. Box 646
Carson City, NV 89702

Bay Communities
c/o Chris McKinney
4800 No. Federal Highway, Suite A205
Boca Raton, FL 33431

Bolick & Boyer
Erven Nelson/Robert Bolick
6060 W. Elton Ave., Suite A
Las Vegas, NV 89107

Callister & Reynolds
Matthew Q. Callister
823 Las Vegas Blvd. South
Las Vegas, NV 89101

Andrew Welcher
c/o Nordman Cormany Hair & Compton
Attn: William E. Winfield, Esq.
1000 Town Center Dr., Sixth Fl.
P.O. Box 9100
Oxnard, CA 93031

Robert Verchota, Gen. Partner
c/o R&N Real Estate Inv. LP
Attn: Jeffrey A. Cogan, Esq.
3990 Vegas Drive
Las Vegas, NV 89108

Law Offices Of James G. Schwartz
Attn: James G. Schwartz/Joshua D. Brysk
7901 Stoneridge Drive, Ste. 401
Pleasanton, CA 94588

Scott K. Canepa
Canepa, Riedy & Rubino
851 S. Rampart Blvd., #160
Las Vegas, NV 89145

Woodburn & Wedge
Attn: John F. Murtha, Esq.
6100 Neil Road, Ste. 500
P.O. Box 2311
Reno, NV 89505

Howard Connell
1001 Jennis Silver Street
Las Vegas, NV 89145

Franklin/Stratford Investment LLC
c/o Deaner, Deaner,, Scann et al.
Atn: Susan Scann/Paul Connaghan
720 So. Fourth Street, Ste. 300
Las Vegas, NV 89101

William D. Cope
Cope & Guerra
595 Humboldt Street
Reno, NV 89509-1603

Thomas & Stilly, Sussman, Shank, LLP
1000 SW Broadway, Suite 1400
Portland, OR 97205-33089

Thomas R. Brooksbank
Brooksbank & Associates
689 Sierra Rose Dr., Suite A-2
Reno, NV 89511

Russell James Zuardo
1296 High Forest Avenue
Las Vegas, NV 89123

John Peter Lee, Ltd.
John Peter Lee, Esq.
830 Las Vegas Blvd., South
Las Vegas, NV 89101